

The Honorable Tana Lin

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RANDY SHIELDS,

Plaintiff,

v.

FRED MEYER STORES INC,

Defendant.

No. 2:23-cv-01455-TL

STIPULATED MOTION AND
~~PROPOSED~~ ORDER AMENDING
BRIEFING SCHEDULE FOR MOTION TO
DISMISS

Noting Date: November 22, 2023

Plaintiff Randy Shields and Defendant Fred Meyer Stores Inc. jointly move the Court to enter the following Order amending the briefing schedule for Defendant's motion to dismiss. In support of this Stipulated Motion, the Parties state the following:

1. On November 1, 2023, the Parties previously stipulated pursuant to Judge Lin's Standing Order for All Civil Cases to extend the briefing schedule (Dkt. 9).

2. On November 3, 2023, the Clerk provided notice of re-setting deadlines per the Parties' stipulation allowing Defendant to Respond to the Complaint by a Rule 12 motion on November 17, 2023 and Plaintiff to have until December 8, 2023 to file a response to Defendant's Motion to Dismiss or file an Amended Complaint.

3. After the Clerk's notice, the Parties continued to discuss methods of avoiding Defendant's Rule 12 motion, including exchanging informal discovery. To enable Defendant's additional factual investigation, Plaintiff consented to allow Defendant until November 22, 2023 to file its Rule 12 motion.

STIPULATION AND ~~PROPOSED~~ ORDER AMENDING
BRIEFING SCHEDULE (No. 2:23-cv-01455-TL)- 1

Davis Wright Tremaine LLP
920 Fifth Avenue, Suite 3300
Seattle, WA 98104-1640
206.622.3150 main · 206.757.7700 fax

4. As an accommodation for the extension for filing the motion and the holidays, the Parties stipulate to the following modest amendment of the Rule 12 briefing schedule:

Event	Due Date
Defendant's Rule 12 motion	Prior: November 17, 2023 Amended: November 22, 2023
Plaintiff's opposition to Defendant's motion or amended complaint	Prior: December 8, 2023 Amended: December 15, 2023
If Plaintiff opposes, Defendant's reply to Rule 12 motion and noting date for motion	Prior: December 22, 2023 Amended: December 29, 2023

5. For the foregoing reasons, the Parties jointly respectfully request that the Court enter an Order setting forth the above amended briefing schedule for the Rule 12 motion filed concurrently today.

Stipulated this 22d day of November, 2023.

BERRY & BECKETT, PLLP

DAVIS WRIGHT TREMAINE LLP

By s/Guy Beckett, per email authorization

By s/Fred Burnside

Guy Beckett, WSBA No. 14939

Fred Burnside, WSBA No. 32491

Email: gbeckett@beckettllaw.com

Email: fredburnside@dwt.com

BERRY & BECKETT, PLLP

Caleah N. Whitten, WSBA No. 60209

1708 Bellevue Avenue

Email: caleahwhitten@dwt.com

Seattle, WA 98122

DAVIS WRIGHT TREMAINE LLP

Telephone: (206) 441-5444

920 Fifth Avenue, Suite 3300

Seattle, WA 98104

Telephone: (206) 622-3150

Counsel for Plaintiff and the Proposed Class

Counsel for Defendant

~~PROPOSED~~ ORDER

The parties jointly moved the Court for an amended briefing schedule for Defendant's motion to dismiss. The briefing deadlines are hereby reset for the following dates:

Event	Due Date
Plaintiff's opposition to Defendant's motion or amended complaint	December 15, 2023
If Plaintiff opposes, Defendant's reply to Rule 12 motion and noting date for motion	December 29, 2023

IT IS SO ORDERED.

Dated: November 22, 2023



Tana Lin
United States District Judge

Presented by:

DAVIS WRIGHT TREMAINE LLP

By s/Fred Burnside
 Fred Burnside, WSBA No. 32491
 Email: fredburnside@dwt.com
 Caleah N. Whitten, WSBA No. 60209
 Email: caleahwhitten@dwt.com
 DAVIS WRIGHT TREMAINE LLP
 920 Fifth Avenue, Suite 3300
 Seattle, WA 98104
 Telephone: (206) 622-3150
Counsel for Defendant